

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1987

— ● —

# ENROLLED

*Com. Sub. for*  
**HOUSE BILL No. 2467**

(By Delegate *Green*.....)

— ● —

Passed *March 14,*..... 1987

In Effect *July 1, 1987*..... ~~Passage~~

**ENROLLED**  
COMMITTEE SUBSTITUTE  
FOR  
**H. B. 2167**  
(By DELEGATE GIVEN)

[Passed March 14, 1987; in effect July 1, 1987.]

AN ACT to amend article twenty-two, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section twenty-six-a, relating to supplemental pension benefits for retired policemen, firemen and their spouses, and tying those supplemental benefits to increases in the consumer price index.

*Be it enacted by the Legislature of West Virginia:*

That article twenty-two, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section twenty-six-a, to read as follows:

**ARTICLE 22. RETIREMENT BENEFITS GENERALLY; POLICEMEN'S PENSION AND RELIEF FUND; FIREMEN'S PENSION AND RELIEF FUND; PENSION PLANS FOR EMPLOYEES OF WATERWORKS SYSTEM, SEWERAGE SYSTEM OR COMBINED WATERWORKS AND SEWERAGE SYSTEM.**

**§8-22-26a. Supplemental pension benefits entitlement; benefit payable; application of section; construction.**

1      (a) Commencing with the fiscal year beginning on the

2 first day of July, one thousand nine hundred eighty-  
3 seven, any member receiving benefits and any surviving  
4 spouse of a member receiving benefits under the  
5 provisions of this article, is entitled to receive a  
6 supplemental pension benefit if the member or the  
7 surviving spouse meets the entitlement of subsection (b)  
8 of this section.

9 (b) Entitlement to supplemental benefits under this  
10 section is established if any member or surviving spouse  
11 receives less than six hundred dollars per month in  
12 pension benefits under this article during the fiscal year  
13 ending on the thirtieth day of June, one thousand nine  
14 hundred eighty-seven, less than seven hundred dollars  
15 per month in pension benefits under this article during  
16 the fiscal year ending on the thirtieth day of June, one  
17 thousand nine hundred eighty-eight, less than eight  
18 hundred dollars per month in pension benefits under  
19 this article during the fiscal year ending on the thirtieth  
20 day of June, one thousand nine hundred eighty-nine, less  
21 than nine hundred dollars per month in pension benefits  
22 under this article during the fiscal year ending on the  
23 thirtieth day of June, one thousand nine hundred ninety,  
24 less than one thousand dollars per month in pension  
25 benefits under this article during the fiscal year ending  
26 on the thirtieth day of June, one thousand nine hundred  
27 ninety-one; entitlement means that the member or  
28 surviving spouse shall receive the minimum pension  
29 benefit defined in subsection (c) of this section.

30 (c) The member or surviving spouse entitled by  
31 subsection (b) of this section shall receive as a supple-  
32 mental pension benefit an amount based on a percentage  
33 increase equal to any increase in the consumer price  
34 index as calculated by the United States Department of  
35 Labor, Bureau of Statistics, for the preceding year. The  
36 supplemental pension benefit payable under the provi-  
37 sions of this section shall be paid in equal monthly  
38 installments and the amount of the benefit so paid shall  
39 be considered in determining such member's or spouse's  
40 eligibility for the supplemental pension benefit for any  
41 subsequent fiscal year.

42 (d) This section applies only through the fiscal year

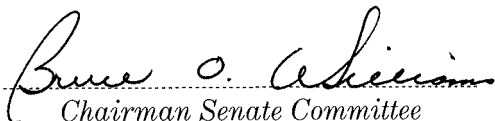
43 ending on the thirtieth day of June, one thousand nine  
44 hundred ninety-two, and must be reviewed and reen-  
45 acted prior to that date.

46 (e) This section shall be construed liberally to effec-  
47 tuate the purpose of establishing minimum pension  
48 benefits under this article for members and surviving  
49 spouses.

*James R. Smith*  
*James R. Smith*  
*James R. Smith*

Enr. Com. Sub. for. H. B. 2167] 4

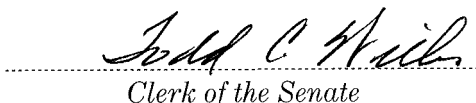
The Joint Committee on Enrolled Bills hereby certifies that  
the foregoing bill is correctly enrolled.

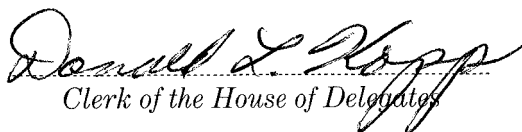
  
Chairman Senate Committee

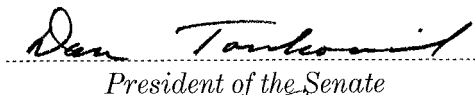
  
Chairman House Committee

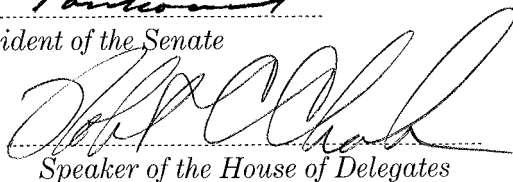
Originating in the House.


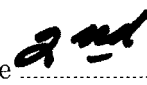
Takes effect July 1, 1987.

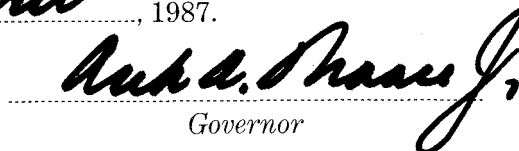
  
Clerk of the Senate

  
Clerk of the House of Delegates

  
President of the Senate

  
Speaker of the House of Delegates

The within  this the   
day of \_\_\_\_\_, 1987.

  
Governor

PRESENTED TO THE  
GOVERNOR  
Date 3/27/87  
Time 2:16 p.m.